

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ANDY KIM, et al.,

Plaintiffs,

v.

CHRISTINE GIORDANO HANLON, in her  
official capacity as Monmouth County Clerk; et  
al.,

Defendants.

Civil Action No. 3:24-cv-01098

**CERTIFICATION OF  
MORRIS COUNTY CLERK  
ANN F. GROSSI**

ANN F. GROSSI, of full age, hereby certifies:

1. I am the Clerk of the County of Morris, State of New Jersey. I make this Certification, based on my own personal knowledge, in opposition to the motion seeking injunctive relief filed by Plaintiffs Andy Kim, Andy Kim for New Jersey, Sarah Schoengood, Sarah for New Jersey, Carolyn Rush, and Carolyn Rush for Congress.

2. I was first elected in 2013, and have continually served as County Clerk since 2014. As part of my duties as the County Clerk, I serve as the Clerk of Elections for the County of Morris. My responsibilities as the Clerk of Elections include, but are not limited to, preparing sample, emergency, provisional, overseas, and vote-by-mail ("VBM") ballots.

3. There are 396 election districts in Morris County. In primary elections, different ballots are prepared for Republican and Democrat candidates. Accordingly, the Clerk's Office prepares 792 different machine face ballots and prints 792 different VBM ballots countywide in each primary election. Morris County anticipates printing

and mailing approximately 51,488 VBM ballots for the upcoming June 4, 2024 primary election.

4. Morris County prepares ballots in traditional landscape, by column style, and has prepared ballots in this style continuously since at least 2014, when I became Clerk. Morris County voters and candidates alike are familiar with this design layout.

5. Title 19 of the New Jersey Statutes sets forth specific deadlines for election-related events with which county clerks must comply.

6. Ballots for the June 4, 2024 Primary Election must be prepared by April 5, 2024. N.J.S.A. 19:14-1.

7. Morris County contracts with Election Systems & Software, LLC (“ES&S”), which provides election systems and services to the County, including the Express Vote XL system and EVS 6300 (“Electionware”) software.

8. Morris County’s ballot printer performs initial programming and ballot size/and style design on Electionware, so that when the Clerk’s Office provides candidates’ names following ballot draw, the printer needs only to “plug in” the names.

9. I have been advised by the County’s vendors that any deviations from the current structure of the ballot at this stage would prevent the vendors from performing the work necessary to enable my office to meet election-related deadlines. ES&S, for example, notes it is possible that changes could not even be made at all prior to the June 2024 primary. (See, e.g., ECF No. 46, at ¶8)

10. The conduct of elections is perhaps both the most arduous and important function that a Clerk has – citizens’ fundamental right to vote depends on it. The timelines in which various activities must be completed are strictly controlled by an

interlocking web of statutes, all backdated from the date upon which an election is to be held. Any day of delay, such as that occasioned by this lawsuit, causes undue stress, cost, and can have a deleterious impact on voters.

I declare under penalty of perjury the foregoing is true and correct.

  
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Ann F. Grossi, Esq.

Dated: March 6, 2024